

1 AN ACT concerning prisons.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Unified Code of Corrections is amended by
5 changing Sections 3-4-3 and 3-7-2a as follows:

6 (730 ILCS 5/3-4-3) (from Ch. 38, par. 1003-4-3)

7 Sec. 3-4-3. Funds and Property of Persons Committed.

8 (a) The Department shall establish accounting records
9 with accounts for each person who has or receives money while
10 in an institution or facility of the Department and it shall
11 allow the withdrawal and disbursement of money by the person
12 under rules and regulations of the Department. Any interest
13 or other income from moneys deposited with the Department by
14 a resident of the Juvenile Division in excess of \$200 shall
15 accrue to the individual's account, or in balances up to \$200
16 shall accrue to the Residents' Benefit Fund. For an
17 individual in an institution or facility of the Adult
18 Division the interest shall accrue to the Residents' Benefit
19 Fund. The Department shall disburse all moneys so held no
20 later than the person's final discharge from the Department.
21 Moneys in the account of a committed person who files a
22 lawsuit determined frivolous under Article XXII of the Code
23 of Civil Procedure shall be deducted to pay for the filing
24 fees and cost of the suit as provided in that Article. The
25 Department shall under rules and regulations record and
26 receipt all personal property not allowed to committed
27 persons. The Department shall return such property to the
28 individual no later than the person's release on parole.

29 (b) Any money held in accounts of committed persons
30 separated from the Department by death, discharge, or
31 unauthorized absence and unclaimed for a period of 1 year

1 thereafter by the person or his legal representative shall be
2 transmitted to the State Treasurer who shall deposit it into
3 the General Revenue Fund. Articles of personal property of
4 persons so separated may be sold or used by the Department if
5 unclaimed for a period of 1 year for the same purpose.
6 Clothing, if unclaimed within 30 days, may be used or
7 disposed of as determined by the Department.

8 (c) Ten percent of the profits on sales from commissary
9 stores shall be expended by the Department for the special
10 benefit of committed persons which shall include but not be
11 limited to the advancement of inmate payrolls, for the
12 special benefit of employees, and for the advancement or
13 reimbursement of employee travel, provided that amounts
14 expended for employees shall not exceed the amount of profits
15 derived from sales made to employees by such commissaries, as
16 determined by the Department. Additional profits from sales
17 from commissary stores must be used to provide for the
18 operation of the commissary.

19 (d) The Department shall confiscate any unauthorized
20 currency found in the possession of a committed person. The
21 Department shall transmit the confiscated currency to the
22 State Treasurer who shall deposit it into the General Revenue
23 Fund.

24 (Source: P.A. 89-689, eff. 12-31-96; 90-505, eff. 8-19-97.)

25 (730 ILCS 5/3-7-2a) (from Ch. 38, par. 1003-7-2a)

26 Sec. 3-7-2a. Commissaries. If a facility maintains a
27 commissary or commissaries, the selling prices for all goods
28 shall be sufficient to cover the costs of the goods and an
29 additional charge of from 3% through 20% ±10%. A compliance
30 audit of all commissaries and the distribution of commissary
31 funds shall be included in the regular compliance audit of
32 the Department conducted by the Auditor General in accordance
33 with the Illinois State Auditing Act.

1 Items purchased for sale at any such commissary shall be
2 purchased, wherever possible, at wholesale costs.
3 (Source: P.A. 82-652.)